

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

FILED IN OPEN COURT  
U.S.D.C. - Atlanta

AUG 04 2020

By:  JAMES N. HATTEN, Clerk  
Deputy Clerk

UNITED STATES OF AMERICA

v.

BEN' ANDRE JAVON GOOLSBY

Criminal Indictment

No. **1:20CR 294**

THE GRAND JURY CHARGES THAT:

**Counts One through Six**  
**(False Statement to a Licensed Firearms Dealer – 18 U.S.C. § 922(a)(6))**

On or about the dates listed below, in the Northern District of Georgia, the defendant, BEN' ANDRE JAVON GOOLSBY, did knowingly make a false and fictitious written statement to Arrowhead Pawn Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in connection with the acquisition of the firearms listed below, which statement was intended and likely to deceive Arrowhead Pawn Shop as to a fact material to the lawfulness of the sale of said firearms, in that the defendant falsely represented that he was not under indictment in any court for an offense punishable by more than one year of imprisonment, when, in fact, as the defendant then well knew, he was under indictment in the Superior Court of Rockdale County, Georgia, Case No. 2014-CR-1084-I, for at least one of the following crimes punishable by imprisonment for a term exceeding one year; that is, Smash-and-Grab Burglary and Burglary in the Second Degree:

Count	Date	Firearm
1	5/11/2020	one (1) Taurus, Model G2C, 9mm semiautomatic pistol
2	8/5/2019	one (1) Glock, Model 27, .40 caliber semiautomatic pistol
3	4/11/2019	one (1) Del-Ton, Model DTI-15, 5.56 caliber semiautomatic pistol
4	2/18/2019	one (1) Glock, Model 26 Gen3, 9mm semiautomatic pistol
5	11/10/2018	one (1) Glock, Model 30 Gen4, .45 caliber semiautomatic pistol
6	10/27/2018	one (1) Glock, Model 42, .380 caliber semiautomatic pistol

All in violation of Title 18, United States Code, Section 922(a)(6).

**Counts Seven through Twelve  
(Receipt of Firearm by a Person under Indictment - 18 U.S.C. 922(n))**

On or about the dates listed below, in the Northern District of Georgia, the defendant, BEN'ANDRE JAVON GOOLSBY, who was then under indictment in the Superior Court of Rockdale County, Georgia, Case No. 2014-CR-1084-I, for at least one of the following crimes punishable by imprisonment for a term exceeding one year; that is, Smash-and-Grab Burglary and Burglary in the Second Degree, did willfully receive firearms as set forth below, said firearms having been shipped and transported in interstate and foreign commerce:

Count	Date	Firearm
7	5/11/2020	one (1) Taurus, Model G2C, 9mm semiautomatic pistol
8	8/5/2019	one (1) Glock, Model 27, .40 caliber semiautomatic pistol

Count	Date	Firearm
9	4/11/2019	one (1) Del-Ton, Model DTI-15, 5.56 caliber semiautomatic pistol
10	2/18/2019	one (1) Glock, Model 26 Gen3, 9mm semiautomatic pistol
11	11/10/2018	one (1) Glock, Model 30 Gen4, .45 caliber semiautomatic pistol
12	10/27/2018	one (1) Glock, Model 42, .380 caliber semiautomatic pistol

All in violation of Title 18, United States Code, Section 922(n).

#### **Forfeiture Provision**

Upon conviction of one or more of the offenses alleged in this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in the commission of the offenses(s), including, but not limited to, the following firearms:

- (a) one (1) Taurus, Model G2C, 9mm semiautomatic pistol bearing serial number ABC364241;
- (b) one (1) Glock, Model 27, .40 caliber semiautomatic pistol bearing serial number GGR993;
- (c) one (1) Del-Ton, Model DTI-15, 5.56 caliber semiautomatic pistol bearing serial number DTI-S185532;
- (d) one (1) Glock, Model 26 Gen3, 9mm semiautomatic pistol bearing serial number BDWG142; and
- (e) one (1) Glock, Model 30 Gen4, .45 caliber semiautomatic pistol bearing serial number BFFX770.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States intends to seek forfeiture of any other property of the defendant up to the value of the forfeitable property, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c).

A True BILL  
CHC  
FOREPERSON

BYUNG J. PAK  
*United States Attorney*

Theodore S. Hertzberg  
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